

1 Frank A. Silane (State Bar No.: 90940)  
2 Scott D. Cunningham (State Bar No.: 200413)  
3 CONDON & FORSYTH LLP  
4 1901 Avenue of the Stars, Suite 850  
5 Los Angeles, California 90067-6010  
6 Telephone: (310) 557-2030  
7 Facsimile: (310) 557-1299  
8 Email: fsilane@condonlaw.com  
9 Email: scunningham@condonlaw.com

10 -and-

11 Marshall S. Turner (*pro hac vice*)  
12 CONDON & FORSYTH LLP  
13 7 Times Square  
14 New York, NY 10036  
15 Telephone: (212) 490-9100  
16 Facsimile: (212) 370-4453  
17 Email: mturner@condonlaw.com

18 Attorneys for Plaintiff  
19 ALL NIPPON AIRWAYS COMPANY, LTD.

20 - and -

21 Other counsel as listed on the signature page

22 UNITED STATES DISTRICT COURT  
23 NORTHERN DISTRICT OF CALIFORNIA

24 ALL NIPPON AIRWAYS COMPANY, )	Case No. C07-03422 EDL
25 LTD., )	
26 Plaintiff, )	JOINT RULE 26(f) REPORT
27 vs. )	
28 UNITED AIR LINES, INC., )	
Defendants. )	

29 AND RELATED COUNTER-CLAIM

30 Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure the parties  
31 herein file the following Joint Report.

32 In accordance with Rule 26(f), a conference of counsel was conducted in this  
33 case on September 10, 2007. Plaintiff All Nippon Airways Co., Ltd. (hereinafter  
34 "ANA") appeared by its attorneys Condon & Forsyth LLP. Defendant United Air

1 Lines, Inc. (hereinafter "UAL") appeared by its attorneys, Worthe, Hanson &  
2 Worthe and Jaffe Raitt Heuer & Weiss, P.C.

3 The following are the parties' views and proposals concerning discovery:

4 (1). The parties agree that no changes should be made to the timing, form,  
5 or requirement for disclosures under Rule 26(a). The parties agree that they will  
6 make their respective Rule 26(a)(1) disclosures pursuant to and in the manner  
7 required by the Court's Order no later than September 25, 2007.

8 (2). Both parties anticipate that discovery will be necessary regarding the  
9 incident alleged in the complaint and damages to the respective aircraft. The  
10 parties agree that it is not necessary to conduct discovery in phases or that  
11 discovery should be limited to or focused upon particular issues at this time.

12 (3). The parties agree that no changes should be made limiting discovery  
13 imposed under these rules or by local rule, or that any other limitations should be  
14 imposed at this time.

15 (4). The parties agree that no claims of privilege need be agreed to or  
16 ordered at this time. ANA claims a protective order will be needed with respect to  
17 UAL's requests for discovery concerning the Standard Ground Handling  
18 Agreement. UAL claims a protective order will be needed with regard to certain  
19 documents (including documents relating to calculation of lost use damages  
20 relative to the United aircraft being out of service and to overhead).

21 (5). The parties agree that no changes on the limitations on discovery  
22 should be imposed at this time.

23 (6). The parties agree that there are no orders that should be entered by the  
24 Court under Rule 26(c) at this time. ANA anticipates filing a motion for a  
25 protective order concerning UAL's deposition notice and document requests with  
26 respect to the Standard Ground Handling Agreement. UAL anticipates requesting  
27 a protective order relative to certain documents. Additionally, UAL anticipates  
28

1 filing a motion to compel relative to its pending deposition notice and document  
2 requests pertaining to the Standard Ground Handling Agreement.

3 The parties agree that there are no orders that should be entered by the Court  
4 under Rule 16(c) at this time. However, the parties agree that a Rule 16(b)  
5 Scheduling Order should be entered by the Court at this time.

6  
7  
8  
9 Dated: September 25, 2007

CONDON & FORSYTH LLP

10  
11 By: 

12 FRANK A. SILANE  
13 SCOTT D. CUNNINGHAM  
14 MARSHALL S. TURNER (*pro hac vice*)  
15 Attorneys for Plaintiff and Counter-  
16 Defendant  
17 ALL NIPPON AIRWAYS COMPANY,  
18 LTD.

19  
20  
21  
22  
23  
24  
25  
26  
27  
28 Dated: September 25, 2007

JAFFE RAITT HEUER & WEISS, P.C.

By: \_\_\_\_\_

SCOTT R. TORPEY  
Attorney for Defendant  
UNITED AIR LINES, INC.

CONDON & FORSYTH LLP  
1901 Avenue of the Stars, Suite 850  
Los Angeles, California 90067-6010  
Telephone: (310) 557-2030

CONDON & FORSYTH LLP  
1901 Avenue of the Stars, Suite 850  
Los Angeles, California 90067-6010  
Telephone: (310) 557-2030

20. Other

The parties agree that there are no other matters at this time that would assist the disposition of this matter.

Dated: September 25, 2007

CONDON & FORSYTH LLP

By: 

FRANK A. SILANE  
SCOTT D. CUNNINGHAM  
MARSHALL S. TURNER (*pro hac*  
*vice*)  
Attorneys for Plaintiff  
ALL NIPPON AIRWAYS  
COMPANY, LTD.

Dated: September 25, 2007

JAFFE RAITT HEUER & WEISS, P.C.

By: 

SCOTT R. TORPEY  
Attorney for Defendant  
UNITED AIR LINES, INC.